



IPW/DAC

500.38183CC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Akihiko HIRANO et al.
Serial No.: 10/761,322
Filed: January 22, 2004
For: **DECODING APPARATUS AND DECODING METHOD**
Group: 2651
Examiner: Rocio Colon

PETITION TO THE COMMISSIONER UNDER 37 CFR 1.181(a)(1)
FOR COMPLETE OFFICE ACTION AND RESTARTING
OF PERIOD FOR RESPONSE

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 29, 2004

Sir:

The Office Action (Paper No. 20041108) dated on November 17, 2004, issued in connection with the above-referenced application is acknowledged. However, Applicants respectfully submit that the Office Action is incomplete for reasons discussed herein below, and request that a decision on this Petition be issued before February 17, 2004, the deadline for filing a Response set in the Office Action (Paper No. 20041108).

STATEMENT OF THE FACTS

- 1) On January 22, 2004, the application was filed in the USPTO.
- 2) On January 27, 2004, a Preliminary Amendment was filed in which claim 1 has cancelled without prejudice or disclaimer, while claims 2-16

have been added to alternatively define the disclosed invention. A copy of that Preliminary Amendment is enclosed for the Petition Office's convenience along with the Auto-Reply Facsimile Transmission receipt.

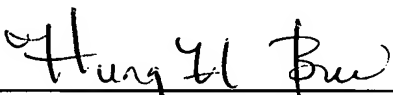
- 3) On November 17, 2004, a first Office Action was issued in which the Examiner has evidently failed to consider the Preliminary Amendment filed on January 27, 2004.

RELIEF REQUESTED

Since the Office Action of November 17, 2004, is incomplete for the reasons discussed above, pursuant to 37 CFR 1.181(a)(1), and MPEP 710.06, Applicants respectfully petition that a complete Office Action be issued, and that the period for Response be restarted.

Respectfully submitted,

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